

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**UNITED STATES OF AMERICA**

**v.**

**ADNREW KASNETZ**

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**CASE NO. 3:18-CR-345-L**

**OPPOSED MOTION FOR CONTINUANCE**

TO THE HONORABLE UNITED STATES DISTRICT JUDGE:

COMES NOW, Andrew Kasnetz, Defendant, by and through his undersigned counsel, and hereby moves this Court for a continuance of the hearings set for March 29, 2022, and in support thereof would show as follows.

**PROCEDURAL AND FACTUAL BACKGROUND**

1. This matter is set for hearings on the following defense motions at 1:00 p.m., March 29, 2022: Supplemental Motion to Compel Production and Inspection of Torrential Downpour Software [155]; Motion Seeking Pre-Trial Production of All Jencks Act Material [154]; Supplemental Motion to Compel Production Pursuant to Brady v. Maryland [156]; and, Motion for Disclosure Pre-Trial of All Evidence the Government Intends to Offer Pursuant to Rule 404(b) of the Federal Rules of Evidence [153] (the “Defense Motions”). Said Defense Motions were all filed on December 3, 2021.

2. Defendant is currently charged with one count of Receipt of Child Pornography (in violation of 18 U.S.C. § 2252A (a)(2)) and two counts of Possession of Prepubescent Child Pornography (in violation of 18 U.S.C. § 2252A (a)(5)(B)).

3. Final trial is set April 11, 2022.

4. The Court set the Defense Motions by Order dated March 25, 2022 [173], after first inquiring about setting the Defense Motions on March 21, 2022.

5. Defendant Andrew Kasnetz (“Kasnetz”) has had several recent surgeries including most recently on March 25, 2022.

6. Kasnetz is suffering significant post-operative mal-effects of his most recent surgery. In connection herewith, Kasnetz is filing medical correspondence under seal contemporaneously with the filing of this motion for continuance.

7. The defense has retained the computer forensics expert, Michele Bush, Loehrs Forensics, 1505 N. Central Ave., Suite 111, Phoenix, Arizona 85004, in this matter.

8. Ms. Bush is unavailable to assist in the presentation of the Defense Motions on March 29, 2022. A true and correct copy of the March 28, 2022 email received from Michele Bush, regarding her unavailability is marked as Exhibit “A,” and fully incorporated for all purposes herein.

### **ARGUMENT**

9. Defendant moves the Court for a brief continuance of the hearing on the Defense Motions in order that Defendant may better participate in the proceedings and assist in his own defense.

10. Defendant further moves the Court for a brief continuance of the hearing on the Defense Motions in order that Defendant’s expert, Michele Bush, may assist in Kasnetz’s defense.

WHEREFORE, PREMISES CONSIDERED, for the reasons and authorities stated in this motion and memorandum, Defendant Andrew Kasnetz respectfully moves this Court for brief continuance of the March 29, 2022 hearing on the Defense Motions.

Respectfully submitted:

By: /s/ Jeffrey T. Hall  
Jeffrey T. Hall  
State Bar No. 00787622  
jthallesq@gmail.com

1700 Pacific Avenue, Suite 4750  
Dallas, Texas 75201  
Telephone (214) 635-1839  
Facsimile (855) 830-1952

**ATTORNEY FOR DEFENDANT  
ANDREW BLAIR KASNETZ**

**CERTIFICATE OF CONFERENCE**

The undersigned counsel for Defendant hereby certifies that a conference was had regarding the relief requested in this Motion on March 28, 2022, with Eduardo Palomo and Shane Read, Assistant United States Attorneys, and both Mr. Palomo and Mr. Read advise that they opposed the Motion.

Certified, March 28, 2022.

/s/ Jeffrey T. Hall  
Jeffrey T. Hall

**CERTIFICATE OF SERVICE**

THIS IS TO CERTIFY that a copy of the foregoing document was served by filing electronically, utilizing the CM/ECF system currently in operation by this Court, which CM/ECF system will automatically notify the assigned prosecutor at the United States Attorney's Office for the Northern District of Texas. The electronic case filing system will send a Notice of Electronic Filing to opposing counsel of record. Accordingly, this document was served, under the Federal Rules of Criminal Procedure, upon all parties or their counsel of record on March 28, 2022.

/s/ Jeffrey T. Hall  
Jeffrey T. Hall

## **EXHIBIT “A”**

**From:** Michele Bush mb@LoehrsForensics.com  
**Subject:** Re: USA v. Kasnetz; No. 3:18-cr-345 NDTX  
**Date:** March 28, 2022 at 11:00 AM  
**To:** Jeff Hall jthallesq@gmail.com  
**Cc:** Loehrs Forensics info@loehrsforensics.com, Madison Thomas mt@LoehrsForensics.com

Hi Jeff,

Thanks for following up. I did briefly review this weekend but ended up having prior obligations I needed to focus on. I have a meeting until about 1pm today and can discuss after that. As far as my schedule goes moving forward, I am fully committed through the first week of May.

I look forward to speaking with you.

Michele Bush | Forensics Expert  
Loehrs Forensics | A Digital Forensics Company  
1505 N. Central Ave, Suite 111 | Phoenix, AZ 85004  
TUC 520.219.6807 | PHX 602.313.0976

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**From:** Jeff Hall <jthallesq@gmail.com>  
**Sent:** Monday, March 28, 2022 7:35 AM  
**To:** Madison Thomas <mt@LoehrsForensics.com>  
**Cc:** Michele Bush <mb@LoehrsForensics.com>; Loehrs Forensics <info@loehrsforensics.com>  
**Subject:** Re: USA v. Kasnetz; No. 3:18-cr-345 NDTX

Michele,

Thank you for conferring with my on the phone last week. Have you had an opportunity to gather your thoughts per our discussion? Also, the hearing is presently set for tomorrow at 1, in Dallas, I am attempting to get it re-scheduled to next week. What is your availability?

Best regards,

Jeff

Jeffrey T. Hall  
Attorney at Law  
1700 Pacific Avenue  
Suite 4750  
Dallas, Texas 75201  
214.635-1839 (Telephone)  
855.830-1952 (Facsimile)

[jthallesq@gmail.com](mailto:jthallesq@gmail.com)

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On Mar 25, 2022, at 11:44 AM, Jeff Hall <[jthallesq@gmail.com](mailto:jthallesq@gmail.com)> wrote:

That works for me.

Thank you,

Jeffrey T. Hall  
Attorney at Law

1700 Pacific Avenue  
Suite 4750  
Dallas, Texas 75201  
214.635-1839 (Telephone)  
855.830-1952 (Facsimile)

[jthallesq@gmail.com](mailto:jthallesq@gmail.com)

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On Mar 25, 2022, at 11:43 AM, Madison Thomas <[mt@LoehrsForensics.com](mailto:mt@LoehrsForensics.com)> wrote:

Hi Jeff,

Michele can be available at 3pm (AZ time) today to discuss. If that works for you, please initiate the call to our PHX number below.

Thanks!

**Madison Thomas** | Manager

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**From:** Jeff Hall <[jthallesq@gmail.com](mailto:jthallesq@gmail.com)>

**Sent:** Thursday, March 24, 2022 4:59 PM

**To:** Michele Bush <[mb@LoehrsForensics.com](mailto:mb@LoehrsForensics.com)>; Loehrs Forensics  
<[info@loehrsforensics.com](mailto:info@loehrsforensics.com)>

**Subject:** USA v. Kasnetz; No. 3:18-cr-345 NDTX

Michele,

The Court has set a hearing regarding torrential downpour issues next Tuesday afternoon. Erdley will be testifying for the Government.

Do you have time to discuss tomorrow / this weekend and might you be able to participate as either an expert or in a consulting capacity?

I apologize for the short notice. We have only just been advised of the date.

Best regards,

Jeff

Jeffrey T. Hall  
Attorney at Law  
1700 Pacific Avenue  
Suite 4750  
Dallas, Texas 75201  
214.635-1839 (Telephone)  
855.830-1952 (Facsimile)

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